

USSN: 09/896,990
Atty. Docket No.: 2001B053
Amendment dated February 24, 2004
Reply to Office Action of December 31, 2003

REMARKS/ARGUMENTS

Status of the Claims

Claims 15-33 are pending in the application. Claims 1-14 were cancelled in an earlier amendment. Claims 15, 25, and 31 as well as claims 17, 21, 24, 26-28 and 30-33, and those claims depending therefrom, are amended herein.

Rejections under Section 112

First, claims 15, 25, and 31, and those claims depending therefrom, stand rejected under 35 USC Section 112, first paragraph. Examiner takes the position that the endpoint of the recited range for the thickness of the second skin layer of 1.5-6 μm is not supported by the application as originally filed. Applicant respectfully disagrees. Notwithstanding, Applicant amends these claims to recite a second skin layer having a thickness of 1.5-12 μm in order to more particularly point out and distinctly claim the invention and to further prosecution of the instant application. Applicant submits that support in the specification, as filed, for this amendment may be found at page 7, line 31 to page 8, line 1.

Second, claims 17, 21, 24, 26-28 and 30-33, and those claims depending therefrom, also stand rejected under 35 USC Section 112, first paragraph. Examiner takes the position that the phrase "thin layer" recited in the claim is indefinite because the term is not defined in the claims or the specification. Applicant respectfully disagrees. Notwithstanding, Applicant amends the claim to recite a thin layer of metal deposited on a skin layer to an optical density of 1.8-2.6. Applicant submits that support in the specification, as filed, for this amendment may be found at page 9, line 11.

Third, claim 33 stands rejected under 35 USC Section 112, second paragraph. Examiner takes the position that the phrase "further comprises a fourth polymeric material" is indefinite. Applicant disagrees. Applicant submits that use of the term "fourth polymeric material" was intended to differential for the first, second or third polymeric materials referred to in claims 15-30. Notwithstanding, Applicant amends claim 33 to recite a "material" in place of a "fourth polymer material" in order to more particularly point out and distinctly claim the invention and

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to further prosecution of the instant application. Applicant submits that this amendment does not introduce new matter to the instant application.

* * *

It is respectfully submitted that the above Amendment and Remarks places this application in order for allowance or in better condition for consideration on appeal. Entry of the Amendment and early allowance of the claims, as amended, are therefore respectfully requested.

Respectfully submitted,

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